

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

<b>EAN HOLDINGS, LLC</b>	<b>PLAINTIFF</b>
<b>VS.</b>	<b>CIVIL ACTION NO.: 1:10CV34-LG-RHW</b>
<b>WILBERT JOHNSON, SASHA ISOM, N. J., A MINOR, NAKASHA ISOM INDIVIDUALLY, AND AS NEXT FRIEND OF N. J., A MINOR, C. S., A MINOR, ELLA JOHNSON, INDIVIDUALLY, AND AS NEXT FRIEND OF C. S., A MINOR, TESSICA WILLIAMS, TYRONE DAVIS, SINGING RIVER HOSPITAL SYSTEM, UNIVERSITY OF SOUTH ALABAMA MEDICAL CENTER, INTERNAL MEDICINE CENTER, LLC, ALABAMA ORTHOPEDIC CLINIC, PC, MOBILE INFIRMARY MEDICAL CENTER, STATE OF MISSISSIPPI, MISSISSIPPI DIVISION OF MEDICAID, KATHERINE SEBELIUS, IN HER OFFICIAL CAPACITY AS SECRETARY OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, AND JOHN DOES 1-10</b>	<b>DEFENDANTS</b>

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**ORDER OF PERMANENT INJUNCTION AND DISMISSAL WITH PREJUDICE  
AS TO EAN HOLDINGS, LLC**

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**This matter** came before the Court for a Pretrial Conference on August 13, 2010, and the Court has entered its Order setting this matter for a non-jury trial on November 8, 2010.

1. This is an interpleader action properly brought under Sections 1335, 1397, and 2361 of Title 28, United States Code arising out of an automobile accident that occurred on October 2, 2008.

2. Plaintiff, EAN Holdings, LLC, as the interpleader who has paid the monies into the registry of this Court, may assert a claim seeking recovery of its attorneys' fees and expenses incurred for this matter.

3. The Court is advised that, contingent upon and in consideration of the parties to this

action agreeing to the relief afforded to EAN Holdings, LLC by this final order, EAN Holdings, LLC agrees to waive and forego seeking recovery of its attorneys' fees and expenses incurred for this matter.

4. The Court was further advised by all counsel at the pretrial conference held on August 13, 2010 that the represented claimants seeking recovery in this matter are in agreement with the relief afforded to EAN Holdings, LLC by this final order.

5. The Court further finds that the relief afforded to EAN Holdings, LLC by this final order serves the interest of justice, and is an equitable adjudication under the circumstances of this matter. There is no just reason for delay and EAN Holdings, LLC is entitled to final judgment of dismissal with prejudice from this matter.

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that:

1. The Defendants and each of them, their heirs, guardians, successors and assigns and those claiming any right of recovery by or through them are permanently enjoined and restrained from levying execution or instituting or prosecuting any lawsuit or proceeding of any kind which seeks recovery of the interpleaded fund or for any damages or any form of relief from EAN Holdings, LLC based on, arising out of, or related to the automobile accident which is the subject of this interpleader proceeding.

2. Plaintiff, EAN Holdings, LLC, is hereby dismissed from this matter with prejudice.

**SO ORDERED AND ADJUDGED** this the 7th day of September, 2010.

*s/ Louis Guirola, Jr.*

Louis Guirola, Jr.

United States District Judge